

MINUTES – Alfred Village Board of Trustees Meeting

September 14, 2010

Present: Mayor Clark, Trustees Bowden, Dosch, Rasmussen, Prophet; Clerk-Treasurer Koegel
Police Chief O’Grady, Supt. McNulty; Approximately 60 members of the public, and
Linda Lewandowski and Justin Head from the press

1. Meeting Opening – Mayor Clark opened the meeting at 7:30 p.m.

2. Minutes

- a. A motion was made and seconded by Trustees Prophet/Bowden to approve the minutes of the regular meeting of July 13, 2010. All members were in favor. Motion passed 5-0.
- b. A motion was made and seconded by Trustees Bowden/Rasmussen to approve the minutes of the special meetings of July 26, 2010, August 2, 2010 and September 8, 2010. All members were in favor. Motion passed 5-0.

3. Announcements

- a. October Board Meeting Change to Thursday, October 14, 2010.
- b. Main Street Grant - Mayor Clark announced the New York State Main Street Grant award in the amount of \$325,000 and thanked Amanda Burns for her work on the grant application during her Alfred State College student internship last spring. There was much appreciation from the crowd. Mayor Clark and Trustee Rasmussen, liaison to the Village Planning Board, thanked those members for their supervision of the application process and work drawing up committees. Amanda was present to summarize the grant project to the public.

4. Guests

- a. Trees – Mayor Clark opened the discussion by assuring guests that the village board is only at the preliminary stages of planning for sidewalk replacement, and will continue open discussions about tree trimming/removal at board meetings with the public.
 - i. Tree Committee – **A motion was made** and seconded by Trustees Bowden/Dosch to establish an Alfred Tree Advisory Committee consisting of Doug Clarke, Joe Dosch, Cheryld Emmons, Kasey Klingensmith, Tom McDowell, Drew McInnes, and Gary Ostrower. All members were in favor. Motion passed 5-0.
 - ii. Student Committee Members – In response to a request for student membership in the Tree Committee, Mayor Clark agreed to add to the Committee upon submission to him of a list of interested students.
 - iii. Tree Committee Meeting - The first meeting will be held Tuesday Sept 21, 2010 at 5 p.m. in the Village Hall.
 - iv. Public Comments
 1. NYSEG – We need to be proactive with NYSEG regarding trimming.
 2. Visibility at Night – Some lights are blocked by branches, and on South Main Street there aren’t enough lights. Suggestion to use the same type of lamps presently on Main Street on other village streets because the poles are lower and underneath the canopy. Mayor Clark explained that if such lamp styles are considered a grant may be necessary to fund the project, and such lamp styles may require a higher quantity of poles due to the necessary amount of lumens for safe lighting.

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3. Implementation of Tree Committee Recommendations – Mayor Clark stated that members of the public will have opportunities to comment on Committee Recommendations at board meetings before actions are taken.
 4. Value – In some communities trees are considered so valuable they are not removed even if they are affecting the sidewalk.
 5. Budget – The village will consider increasing the \$1,000 annual budget for maintenance of trees.
 6. Observatory – It is possible to shield the street lights so they don't adversely affect the observatory.
- b. Terrace Street Fraternity – Area residents complained of alleged nuisance activities of Terrace Street residents who are suspected to belong to a fraternity, including noise, property disturbance, open containers, and bonfires. They questioned the village board about why a fraternity is being permitted to reside in a neighborhood that is not zoned for fraternities. Trustee Rasmussen answered by explaining the relevant section of zoning law and the formal process for appeal, in addition to explaining that the village has not yet received formal notice and verification that a fraternity is in fact residing on Terrace Street. Chief O'Grady acknowledged receiving a few complaints about incidents in that neighborhood, though nothing on fires, and agreed to remain aware of area activity and have his department watch it closely. A tense discussion among several guests ensued about the pros and cons of fraternal organizations. The Mayor and Trustee Rasmussen mediated, stated the importance of enforcing the law, and welcomed individuals to pursue the avenues allowable by law to address their concerns.
 - c. Skunks – There was a question about what could be done with the problem of skunks in the village, especially with the potential of their odor to cause damage to restaurant patronage.
 - d. Dog Control – There was a request to ask the Dog Control Officer to present a report at the end of each year, and invite him to an upcoming meeting this fall. Mayor Clark agreed.
 - e. Code Enforcement Office Relations – Village resident Jason Rodd claimed to be singled out for persecution, due to a letter he received from the Code Enforcement office about housing code violations. He claimed the violations listed in the letter did not correspond to the section of law quoted in the letter. He also referenced a list of "items for follow-up," given by a Board Trustee to the Code Enforcement Office, on which his name was included. He claimed the list to be proof of selective enforcement, because it did not include every property in the village that is violating the laws. There was some public discussion about the financial capability of property owners to beautify their properties, in which Trustee Rasmussen pointed out most resident concerns involve tidiness rather than expensive renovations. Trustee Rasmussen explained that the aforementioned letter was sent from the office by the Code Enforcement Officer's assistant without his signature, and agreed that was not appropriate. She mentioned additional sections of Village law that would have pertained to such mentioned violations; sections which should have been cited in the letter. Trustee Rasmussen described her own proactive efforts on the part of the village in distributing local garbage and housing law information to new tenants each semester, and expressed her view that enforcement of the law should be standard for all property owners with similar violations. She explained that many

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village residents file complaints directly with her, due to an inability to reach the Code Enforcement Officer, and those are the things she relays to the office; in this case through the referenced “list of items.” Former Mayor Gary Ostrower stood up to declare, “The Village Board does not harass, vilify or persecute. They take enforcement of the law seriously.” Mayor Clark stated his agreement that no one is being harassed, and suggested a meeting of landlords, should there be a collective need to discuss any ongoing concerns about code enforcement.

5. Bids

- a. **Police Vehicle** – A motion was made and seconded by Trustees Prophet/Bowden to put the Police Jeep out for bid. All members were in favor. Motion passed 5-0.
- b. **Impound Vehicle** – A motion was made and seconded by Trustees Bowden/Dosch to put out part of the unclaimed impound vehicle for bid and sell the rest as scrap. All members were in favor. Motion passed 5-0.

6. New Business

- a. **Main Street Grant Contract** – A motion was made and seconded by Trustees Prophet/Dosch for Mayor to sign New York State Main Street Program Grant Agreement #20103344 with a term from September 14, 2010 to August 31, 2012 in the amount of \$325,000. All members were in favor. Motion passed 5-0.
- b. **Main Street Grant Administrator** – A motion was made and seconded by Trustees Bowden/Rasmussen to establish Main Street Grant Administrator Search Committee which will, through a fair and efficient process, identify potential individuals to fill the Main Street Grant Administrator position. At the conclusion of the search process, the top three (3) identified candidates will be recommended by the Search Committee to the full Planning Board and then the Village Board. The Village Clerk-Treasurer will act as a consultant to the Search Committee. Members of the Search Committee may not apply for the Main Street Grant Administrator position. The Search Committee will consist of the following members recommended by the Alfred Village Planning Board:
 - i. Dr. Karla Back, Professor in School of Management and Technology at Alfred State College
 - ii. Justin Grigg, VPB
 - iii. Mark McFadden, Director of the Career Development Center at Alfred UniversityAll members were in favor. Motion passed 5-0.
- c. **Police Grant Contract** – Chief O’Grady briefly summarized the Federal ARRA Byrne JAG grant to the public. A motion was made and seconded by Trustees Bowden/Rasmussen to authorize the Mayor to sign New York State Division of Criminal Justice Services Grant Agreement #T632211 with a term from October 1, 2010 to September 30, 2011 in the amount of \$6,840. All members were in favor. Motion passed 5-0.
- d. **Annual Independent Audit** – A motion was made and seconded by Trustees Dosch/Bowden to accept CPA Elizabeth Schiralli’s audit proposal in the amount of \$4,200. All members were in favor. Motion passed 5-0.
- e. **Standard Work Day** – A motion was made and seconded by Trustees Bowden/Prophet to establish the Village of Alfred standard workday at 8 hours. All members were in favor. Motion passed 5-0.

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- f. **ServU Credit Union** – A motion was made and seconded by Trustees Prophet/Dosch to authorize membership in ServU Credit Union as a benefit to employees, at no cost to the Village. All members were in favor. Motion passed 5-0.
- g. **Alfred University Homecoming Bonfire** – Mayor Clark reported a request from Alfred University to have their annual homecoming bonfire, with arrangements in place for appropriate fire and ambulance standby. A motion was made and seconded by Trustees Dosch/Rasmussen to approve an Alfred University Homecoming Bonfire on Friday, October 1, 2010 from 7-9 p.m. in the open lot between McLane and Davis Gym. All members were in favor. Motion passed 5:0.
- h. **Piano Care** – A proposed piano care policy draft was distributed for board consideration at a future meeting.
- i. **Building Permits** – The board discussed instituting a penalty for violations of the zoning law that pertain to building permits. Trustee Rasmussen confirmed that such violations have been a problem for the Planning Board at times. Trustee Bowden will draft a recommendation for further discussion at the next board meeting.
- j. **Hydrofracking** – Trustee Rasmussen explained her concerns about the impacts of hydrofracking. A motion was made and seconded by Mayor Clark/Trustee Prophet to support a letter urging the EPA to do a comprehensive study; such letter to include mention of aesthetics as well. All members were in favor. Motion passed 5-0.

7. Old Business

- a. **Bus Stop** – There were suggestions that students build a cover over the seating and the bulletin board; and that bulletin board surfaces should be painted with enamel paint.
- b. **Terrace Street** – Work is expected to continue next week on the culvert masonry project, per Mayor Clark.
- c. **Revenue** – The Board reported that there has been progress in preparing for a discussion of public safety support from the colleges. A meeting is expected to be held before the October board meeting.
- d. **Historic Property Tax Exemption** – Jason Rodd requested that the board look into making a zoning law that would prevent properties from going off the tax roll without referendum. He also stated that if a building is not used for tax-exempt purposes, it loses its tax-exempt status. He added that if Alfred University charges a higher amount for rent than do private landlords, it is making a profit. The board should identify properties that are being used for profit and take them to the assessor, preferably through a Taxpayer Committee. In response to discussion about PILOTS, Mayor Clark said the village is not involved in their negotiation, as it is not an assessing unit. That is done through the Town of Alfred. He agreed to talk to the village attorney about challenging the tax-exempt status of profit-making properties, should such properties be identified. He welcomed Jason to submit a list of properties he has identified, for the village to review. He said before we would consider forming a Taxpayer Committee, he would like to have the material and talk to the assessor to see how many properties are at issue.

8. Reports

- a. **Mayor**
- b. **Youth/Recreation** – Trustee Prophet gave the report for July and August.
 - i. Over the summer the Village assisted in or sponsored several activities:

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1. The Recreation Program at Alfred State was well received and well attended. Again, this year, the Box of Books had a reading area.
2. Band Concerts were held.
3. Alfred Community Theatre mounted three different productions.
4. The Welcommunity event was given a real shot in the arm by Alfred Alive. The turn out was terrific and energetic. At least fifteen organizations and representatives were on hand. There are many people to thank for the effort and the success: Alfred Alive Program Committee; The A.E.Crandall Hook and Ladder Company, the churches, the Lions Club, the Box of Books, Alfred Community Theatre, Alfred Martial Arts, and many, many more. It seems as though everyone there thought that this was an exhibit of our true community!

c. Police

- i. **Light Bar** – A motion was made and seconded by Trustees Prophet/Bowden to sell the old light bar from the police jeep to the Town of Independence, “as is”, for \$75.00, confirmed by Chief O’Grady to be fair price. All members were in favor. Motion passed 5-0.

d. Planning and Zoning Board

– Trustee Rasmussen gave the report for July and August.

e. WWTP

– Trustee Bowden gave the report for July and August.

f. Streets/Water

- i. AU Street Ownership/AU Central Water Meter - We should have Clark Patterson give an engineering recommendation for how to set up a central water meter. Mayor Clark indicated we should set a deadline of December 31, 2010 for a proposal.
- ii. Trees on Private Property – Supt. McNulty has a list of dead trees on private property, and Mayor Clark agreed to assist him in prioritizing the safety risk and sending letters to those with dangerous conditions.

g. Housing

– Trustee Rasmussen gave the Housing Report for July and August.

h. Clerk-Treasurer

9. **Executive Session** – A motion was made and seconded by Trustees Bowden/Prophet to go into executive session to discuss the employment history of a particular person. All members were in favor. Motion passed 5-0. No action was taken. A motion was made and seconded by Trustees Prophet/Dosch to leave executive session. All members were in favor. Motion passed 5-0.

10. Working Groups

11. Budget Adjustments

- a. A motion was made and seconded by Trustees Bowden/Dosch to make a budget adjustment to increase the General Fund by \$6,840 for the purchase of police radios through the grant. All members were in favor. Motion passed 5-0.

12. Fiscal Summary

- a. A motion was made and seconded by Trustees Dosch/Rasmussen to acknowledge receipt of the fiscal summaries for July 31, 2010 and August 31, 2010. All members were in favor. Motion passed 5-0.

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13. Bills

- a. **A motion was made** and seconded by Trustees Prophet/Bowden to approve payment of bills from **Abstract 2011-3** in the total amount of \$131,971.40 as stated in detail below and on the attached abstract list.
 - i. General Fund \$111,471.06
 - ii. Water Fund \$10,167.14
 - iii. Sewer Fund \$10,299.04
 - iv. Capital Projects Fund \$34.16
- b. **A motion was made** and seconded by Trustees Prophet/Rasmussen to approve payment of bills from **Abstract 2011-4** in the total amount of \$62,564.37 as stated in detail below and on the attached abstract list.
 - i. General Fund \$30,688.28
 - ii. Water Fund \$9,723.32
 - iii. Sewer Fund \$19,055.72
 - iv. Capital Projects Fund \$3,097.05

14. Adjournment – The meeting was adjourned at 11:20 p.m.

15. Upcoming Meetings

- a. Next Regular Board meeting Thursday, October 14, 2010 at 7:30 p.m.

Respectfully submitted,

Kathryn L. Koegel, Clerk-Treasurer